

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KEITH HENDERSON,
Plaintiff,

v.

FLORIDA STATE HOSPITAL,
Defendant.

Case No. [18-cv-02164-JSC](#)

ORDER OF TRANSFER

Plaintiff, an inmate in the Early County Jail in Blakely, Georgia, filed this pro se civil rights action under 42 U.S.C. § 1983. Plaintiff sues a number of officials in Early County, as well as in Florida, where he was previously incarcerated. Plaintiff complains about various rules of the Florida courts, which appear to have been applied to him when he had a case in the Florida courts.

When, as here, jurisdiction is not founded on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. § 1406(a).

None of the Defendants reside in California and none of the events or omissions giving rise to Plaintiff's claims took place in California. Plaintiff names many Defendants residing in Florida, in three different counties: Gadsden, Jackson and Orange Counties. Gadsden and Jackson County are in the Northern District of Florida, and Orange County is in the Middle District of Florida. *See* 28 U.S.C. § 89. Because the majority of the Defendants reside in the Northern District of Florida,

1 it would appear that a substantial part of the events took place there, and that venue is proper in
2 that district under 28 U.S.C. § 1391(b)(2). Accordingly, in the interest of justice and pursuant to
3 28 U.S.C. §§ 1391 and 1406(a), this case is TRANSFERRED to the United States District Court
4 for the Northern District of Florida.

5 The Clerk of the Court shall transfer this matter forthwith.

6 **IT IS SO ORDERED.**

7 Dated: April 23, 2018

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11 JACQUELINE SCOTT CORLEY
12 United States Magistrate Judge
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CERTIFICATE OF SERVICE

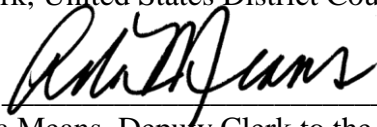
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 23, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Keith Henderson ID: Chastity 25
Early County Jail Facility
P.O. Box 939
Blakely, GA 39823

Dated: April 23, 2018

Susan Y. Soong
Clerk, United States District Court

By: 
Ada Means, Deputy Clerk to the
Honorable JACQUELINE SCOTT CORLEY